

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID E. SIERRA-LOPEZ,

Plaintiff,

v.

DR. PERSIKE and DR. WHITE,

Defendants.

ORDER

17-cv-646-bbc

Pro se plaintiff and prisoner David E. Sierra-Lopez is proceeding in this case on claims that defendants Dr. Persike and Dr. White violated his rights under the Eighth Amendment. On October 31, 2018, I granted plaintiff's motion to compel discovery and ordered defendants to provide discovery responses to plaintiff within 14 days. On November 15, 2018, plaintiff filed a motion to hold defendants in contempt on the ground that defendants had failed to provide discovery responses as ordered by the court. Dkt. #76.

I am denying plaintiff's motion. Defendants' counsel submitted a sworn declaration stating that she mailed discovery responses to plaintiff on November 14, 2018. Dkt. #78. Because I have not heard anything from plaintiff suggesting that he did not receive defendants' discovery responses, I assume he has now received them. Therefore, plaintiff has failed to show that defendants should be held in contempt.

ORDER

IT IS ORDERED that plaintiff David E. Sierra-Lopez's motion to hold defendants

in contempt, dkt. #76, is DENIED.

Entered this 2d day of January, 2019.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge